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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) NO. CR 04-20070 JW

14 Plaintiff,)

15 v.)

16 JOSE MARTINEZ-GONZALEZ,)

17 Defendant.)

18

UNITED STATES OF AMERICA,)

19 Plaintiff,) NO. CR 08-00058 JW

20 v.)

21 JOSE MARTINEZ-GONZALEZ,)

22 Defendant.)

23

**NOTICE OF RELATED CASES
IN A CRIMINAL ACTION**

24 The United States hereby files this notice of related cases pursuant to Criminal Local Rule 8-
25 1, as it believes that the cases above-captioned are related within the meaning of the rule. The
26 first captioned case, charging defendant JOSE MARTINEZ-GONZALEZ(CR-04-20070),
27 contains an allegation of a supervised release violation following a sentence imposed by the
28 Honorable James Ware on October 4, 2004. The second case, charging defendant JOSE

NOTICE OF RELATED CASES IN A CRIMINAL ACTION

MARTINEZ-GONZALEZ (CR-08-00058), was indicted on February 6, 2008 and is pending before the Honorable James Ware. Each case includes defendant JOSE MARTINEZ-GONZALEZ and the identical allegation of an illegal reentry. The first matter assigned a case number by the clerk (U.S. v. JOSE MARTINEZ-GONZALEZ(CR-04-20070) is pending before Judge Ware and therefore, the “earliest” filed matter. Thus, the rule suggests that all of the cases against JOSE MARTINEZ-GONZALEZ should be assigned to one judge, presumably Judge Ware.

For the above reasons, the government believes that assignment of the above-captioned cases to a single District Judge, Judge Ware, will conserve judicial resources and promote an efficient determination of the action.

DATED: February 11, 2008

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
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